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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-70325 RS
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER CONTINUING PRELIMINARY
)	HEARING DATE AND WAIVING TIME
PABLO CESAR ESQUIVEL,)	
MIGUEL ALVAREZ-CASTENEDA, and)	
ROBERTO MATOS,)	SAN JOSE VENUE
)	
Defendants.)	

The parties request and stipulate that the date for the preliminary hearing of defendant, Roberto Matos, be continued from Wednesday, June 18, 2008, at 11:00 a.m., to Wednesday, July 16, 2008 at 11:00 a.m. The parties also request and stipulate that, pursuant to Federal Rule of Criminal Procedure (FRCP) 5.1(d), the time limits set forth in FRCP 5.1(c) be tolled and waived from June 18, 2008, to and including July 16, 2008. The parties agree that – taking into account the public interest in prompt disposition of criminal cases – good cause exists for this extension.

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STIP. AND PROP. ORDER RE: PRELIMINARY HEARING
CR 08-70325 RS

1 Defendant also agrees to toll and to waive for this period of time any time limits applicable
2 under Title 18, United States Code, Section 3161. Undersigned defense counsel represents that
3 he has spoken with his client, Mr. Matos, and that Mr. Matos agrees to the continuance and to
4 time be tolled and waived as requested.

5 **IT IS SO STIPULATED.**

6 DATED: June 12, 2008

Respectfully submitted,

7 JOSEPH P. RUSSONIELLO
8 United States Attorney

9 /s/
10 DANIEL R. KALEBA
11 Assistant U.S. Attorney

12 DATED: June 12, 2008

13 /s/
14 THOMAS J. FERRITO
15 Attorney for Roberto Matos

16 **IT IS SO ORDERED.**

17 DATED: June __, 2008

18 RICHARD SEEBORG
19 United States Magistrate Judge
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